

Message Text

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50

ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 TRSE-00 EB-07 COME-00 STR-01

OMB-01 CIAE-00 DODE-00 PM-03 H-01 INR-07 L-02 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 NIC-01 SAJ-01

IO-10 ACDA-05 /082 W

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P R 061313Z MAR 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 8494

INFO USMISSION USBERLIN

USMISSION NATO BRUSSELS

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY BERLIN

C O N F I D E N T I A L BONN 03743

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, GW, UR, YU

SUBJECT: ANSWER TO SOVIET PROTEST ON FRG-YUGOSLAVIA
CUSTOMS TREATY

REF: USBER 2203, 1974

1. AD REF AGREEMENT FOR RECOMMENDATION TO AUTHORITIES
WAS REACHED IN BONN GROUP MEETING MARCH 5 ON DRAFT REPLY
TO SOVIET NOTE ISSUED IN BERLIN ON FRG-YUGOSLAV CUSTOMS
AGREEMENT. BEGIN TEXT.

1. WITH REFERENCE TO THE ORAL STATEMENT OF THE
EMBASSY OF THE USSR MADE ON 2 DECEMBER 1974 CONCERNING
AN AGREEMENT ON CUSTOMS COOPERATION BETWEEN THE FEDERAL
REPUBLIC OF GERMANY AND YUGOSLAVIA, I WOULD LIKE TO MAKE
THE FOLLOWING REPLY WHICH REPRESENTS THE VIEWS OF THE
THREE POWERS.

2. AGREEMENTS OF THE FEDERAL REPUBLIC OF GERMANY
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INCLUDING THOSE PROVIDING FOR COOPERATION IN CUSTOMS

MATTERS HAVE FOR MANY YEARS, WITH THE AUTHORITY OF THE ALLIED KOMMANDATURA GIVEN UNDER THE ESTABLISHED PROCEDURES, BEEN EXTENDED TO BERLIN. A CONSIDERABLE NUMBER OF AGREEMENTS, LIKE THE AGREEMENT WHICH IS THE SUBJECT MATTER OF THIS REPLY, CONTAIN PROVISIONS CONCERNING THE PROSECUTION OF OFFENCES. THIS IN NO WAY IMPLIES THAT RESPONSIBILITY FOR MATTERS OF SECURITY AND STATUS, WHICH OF COURSE REMAINS WITH THE ALLIES, IS IN ANY WAY AFFECTED.

3. IN ACCORDANCE WITH THE ESTABLISHED PROCEDURES SPECIFICALLY CONFIRMED BY THE QUADRIpartite AGREEMENT OF 3 SEPTEMBER 1971, THE ALLIED AUTHORITIES REVIEWED THE AGREEMENT BETWEEN THE FRG AND YUGOSLAVIA ON CUSTOMS COOPERATION AND HAVE CONFIRMED THAT ITS APPLICATION IN THE WSB WOULD NOT AFFECT EITHER THEIR SUPREME AUTHORITY OR MATTERS OF STATUS AND SECURITY. THUS THE EXTENSION OF THIS AGREEMENT WOULD IN NO WAY BE INCONSISTENT WITH THE QA.

4. AS FAR AS THE UTILISATION BY THE FRG OF CERTAIN TERMINOLOGY IS CONCERNED, THE THREE POWERS CONFIRM THEIR POSITION AS SET OUT IN THEIR COMMUNICATION OF 22 FEBRUARY 1973. END TEXT.

2. RECOMMEND DEPARTMENT APPROVE ABOVE TEXT FOR DELIVERY IN BERLIN IN ACCORDANCE WITH NORMAL PRACTICE.
HILLENBRAND

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NNN

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Margaret P. Grafeld
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